

**ORIGINAL**  
**BEFORE THE FLORIDA**  
**JUDICIAL QUALIFICATIONS COMMISSION**

**FILED**  
THOMAS D. HALL  
JUN 21 2002  
CLERK SUPREME COURT  
BY AWC

**INQUIRY CONCERNING A  
JUDGE, NO. 01-244**

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**CASE NO.: SC01-2670**

**FIFTH AMENDED WITNESS AND EXHIBIT LIST**

COMES NOW, the Respondent, the Honorable Charles W. Cope, by and through his undersigned counsel and hereby files his Amended Witness List and Exhibit List as follows:

**WITNESS LIST**

1. Honorable Charles W. Cope;
2. Mary Ellen Borjia;
3. Wayne Boyer;
4. Honorable Arthur England;
5. Professor William Ross
6. Walter Afield, M.D.;
7. Sydney Merin, Ph.D.;
8. Honorable Susan Schaeffer;
9. Honorable John Steinheider;
10. Daniel Meagher, D.V.M.;
11. Tara Trumler, D.V.M.;
12. Stephen Hance, D.V.M.;
13. Gary Wright, M.D.;

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<sup>1</sup> Discovery is ongoing. Respondent reserves the right to seek to add additional witnesses and exhibits, as more information is discovered.

14. Lisa Vann Jeanes, D.V.M.;
15. Nina Vann Jeanes, M.D.;
16. Lieutenant Philip Nash;
17. ~~Officer~~ John Nyunt;
18. Sandra Backinger;
19. Investigator James Brown;
20. Thomas McCann;
21. Community Service Officer Cindy Mitchell;
22. Sergeant Ron ~~Spicer~~;
23. Joel Charles;
24. Robert Butler.

#### EXHIBIT LIST

1. Photograph of Normandy Inn Room Key
2. Photographs of Normandy Inn / Exterior
3. Photographs of Normandy Inn / Interior of room
4. Photographs of Normandy Inn / Balcony Area
5. Photographs of Normandy Inn / Door to Room
6. Photographs of Beach / Beach Access
7. Normandy Inn Repair Records
8. Motions To Dismiss, For Discovery And For Hearing On The Grounds Of Selective Prosecution And Vindictive Prosecution with Exhibits
9. Special Counsel's Response to Interrogatories
10. American Express Credit Card Record

11. Capital One Visa Credit Card Record
12. The Grill on Ocean Avenue – Restaurant and Credit Card Receipt
13. Nepenthe Restaurant – Restaurant and Credit Card Receipt
14. Hog's Breath Inn – Restaurant and Credit Card Receipt
15. Restaurant at Mission Ranch – Restaurant and Credit Card Receipt
16. Booking Videotape Tape 1 of 2
17. Booking Videotape Tape 2 of 2
18. 911 Tape / Transcript
19. 6/1 5/1 Interview of Jane Doe – Tape / Transcript
20. Carmel-by-the-Sea Police Department Crime Report of **Officer** Nash
21. Normandy Inn Reports re: False Entries
22. Police contacts at the Normandy Inn for 2001
23. Records of radio transmissions relating to the dispatch to the Normandy Inn pursuant to a 911 call at approximately 0042 hours on April 5, 2001
24. Police Reports re: Normandy Inn Calls
25. Deposition of Sandra Backinger dated March 11, 2002
26. Deposition of James D. Brown dated March 22, 2002
27. Deposition of Lisa Vann Jeanes dated March 1, 2002
28. Deposition of Lisa Vann Jeanes dated May 7, 2002
29. Deposition of Nina Vann Jeanes dated March 1, 2002
30. Deposition of Philip Nash dated March 12, 2002
31. Deposition of Judge Steinheider to be taken June 17, 2002
32. Deposition of Stephen **Hance** to be taken June 19, 2002

33. Deposition of Gary Wright to be taken June 19, 2002
34. Deposition of Daniel Meagher to be taken June 20, 2002
35. Deposition of Tara Trurnler to be taken June 18, 2002
36. Deposition of Bonnie Sue Barr to be taken June 20, 2002
37. Deposition of Thomas McCann to be taken June 21, 2002
38. Deposition of Cindy Mitchell to be taken June 20, 2002
39. Deposition of Jose Torres dated March 12, 2002
40. Map of Carmel-by-the-Sea
41. Diagram of Normandy Inn Room 306
42. Deposition of Nina Vann Jeanes dated June 17, 2002
43. Two Enhanced Audiotapes of Booking
44. Enhanced Audiotape of 911 call
45. Robert Butler Report of Interview of Nina Vann Jeanes dated 10/22/01
46. University of California at Davis Records received pursuant to subpoena **duces** tecum without deposition
47. Maintenance Book - Exhibit 1 to Deposition of Jose Torres dated March 12, 2002
48. Normandy Hotel Documents for April 4, 2001, - Exhibit 3 to Deposition of Sandra Backinger
49. Normandy Hotel Document for April 5, 2001 - Exhibit 4 to Deposition for Sandra Backinger
50. Photograph of Hotel Key - Exhibit 5 to Deposition for Sandra Backinger
51. Worksheet for Room No. 306 - Exhibit 6 Deposition of Sandra Backinger
52. Merchandise and Service Summary with Related documents - Exhibit 7 Deposition of Sandra Backinger

53. Maintenance Report – Exhibit 8 Deposition of Sandra Backinger
54. Nina Jeanes Vehicle Information – Exhibit 9 of Deposition of Sandra Backinger
55. Normandy **IM** Receipt for N. V. Jeanes – Exhibit 10 of Deposition of Sandra Backinger
56. Original Computer Reservation Log (Nina Jeanes) – Exhibit 11 of Deposition of Sandra Backinger
57. Employee List for April 3, 2001 Normandy Inn – Exhibit 12 of Deposition of Sandra Backinger
58. Computerized Reservation Log (Nina Jeanes) – Exhibit 13 of Deposition of Sandra Backinger
59. Normandy Inn Checkout Receipt N. V. Jeanes – Exhibit 14 of Deposition of Sandra Backinger
60. Room Invoice Normandy **IM** – Account No. 2 15 19 1 – Exhibit 15 of Deposition of Sandra Backinger
61. Normandy **IM** Brochure – Exhibit 16 of Deposition of Sandra Backinger
62. Photograph of Normandy Inn – Exhibit 17
63. Computerized Reservation Log (**B. J. Reeve**) – Exhibit 18
64. Computerized Reservation Log (Jennifer Hancock) – Exhibit 19
65. Officer Daily Activity Report May 11, 2001 – Exhibit 20
66. Newspaper Article Entitled “Florida Judge Negotiating Plea Bargain” – Exhibit 21
67. Computerized Reservation Log Lindsay **Colton** – Exhibit 22
68. Marked Photograph of Balcony Area – Exhibit 1 to L. Jeanes Deposition
69. Photograph of Driftwood – Exhibit 9 to L. Jeanes Deposition
70. Photograph of Driftwood – Exhibit 8 to L. Jeanes Deposition

71. Photograph of measurement – Exhibit 5 to L. Jeanes Deposition
72. Photograph of Peephole View – Exhibit 4 to L. Jeanes Deposition
73. **Email** Sent to Trumler - Exhibit 10 to L. Jeanes Deposition
74. Crime Follow-up Supplemental Report – Exhibit 1 to P. Nash Deposition
75. Admonition of Rights and Notes – Exhibit 2 to P. Nash Deposition
76. VCR Usage Log – Exhibit 3 to P. Nash Deposition
77. Declaration in Support of Arrest of Pretrial Restraint on Liberty – Exhibit 4 to P. Nash Deposition
78. McDonald Correspondence – Exhibit 5 to P. Nash Deposition
79. Officer's Daily Activity Report, April 3, 2001 – Exhibit 6 to P. Nash Deposition
80. **Carmel** Police Master Name Index Record – Exhibit 7 to P. Nash Deposition
81. **Carmel** P.D. Dispatch – Exhibit 8 to P. Nash Deposition
82. **JQC's** Exhibit 1 to P. Nash Deposition
83. Marked Photograph of Balcony Area – Exhibit 1 to N. Jeanes Deposition
84. **Affidavit of Tara Trumler** – Exhibit 1 to T. Trumler Deposition
85. All exhibits to depositions taken in this cause
86. Documents Sandra Backinger Agreed to Produce during her deposition on March 11, 2002 which she subsequently produced
87. Extension Audit Report for Normandy Inn dated 4/3 through 4/4
88. Extension Audit Report for Normandy Inn dated 4/4 through 4/5
89. Deposition of David MacDonald dated June 20, 2002
90. Cross Sales Analysis; Reading Sales Report – Exhibit 2 to David MacDonald Deposition
91. Print Check dated 4/4/01 – Exhibit 3 to David MacDonald Deposition

92. Print Check dated 4/4/01 – Exhibit 4 to David MacDonald Deposition
93. Gross Sales Analysis; Reading Sales Report – Exhibit 6 to David MacDonald Deposition

Respectfully submitted,



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**ROBERT W. MERKLE, ESQ.**

Florida ENumber: 8183

**MERKLE & MAGRI, P.A.**

55 10 West LaSalle Street

Tampa, Florida 33607

Telephone: (813) 281-9000

Facsimile: (813) 281-2223

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via facsimile and U.S. Mail to: **Judge James R Jorgenson**, Chair of the Judicial Qualifications Commission Hearing Panel, 3<sup>rd</sup> District Court of Appeal, 2001 S.W. 117<sup>th</sup> Avenue, Miami, Florida 33175-1716; **John Beranek, Esq.**, Counsel to the Hearing Panel of the Judicial Qualifications Commission, P.O. Box 391, Tallahassee, Florida **32302**; **John S. Mills, Esq.**, Special Counsel, Foley & Lardner, 200 Laura Street, Jacksonville, Florida 32201-0240; **Brooke S. Kennerly**, Executive Director of the Florida Judicial Qualifications Commission, 1110 Thomasville Road, Tallahassee, Florida **32303**; **Thomas C. MacDonald, Jr., Esq.**, General Counsel to the Investigative Panel of the Judicial Qualifications Commission, 100 North Tampa Street, Suite 2100, Tampa, Florida 33602; this 20<sup>th</sup> day of June, 2002.



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**ROBERT W. MERKLE, ESQ.**